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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

| | | |
|---|------------------------|------------------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/722,169 |
| | Filing Date | November 25, 2003 |
| | First Named Inventor | John W. von Holdt, Jr. |
| | Art Unit | 1774 |
| Total Number of Pages in This Submission | Examiner Name | |
| | Attorney Docket Number | 10778.00020 |

ENCLOSURES (check all that apply)

| | | |
|--|---|--|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment Before Action <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): Return Receipt Postcard; Certificate of Mailing by Express Mail |
| Remarks EV 378039223 US | | The Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 19-0733. A duplicate copy of this sheet is enclosed. |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | |
|-------------------------|---|
| Firm or Individual name | Jon O. Nelson Banner & Witcoff, Ltd. |
| Signature | |
| Date | August 3, 2004 |

CERTIFICATE OF MAILING

| | | |
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| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. | | |
| Typed or printed name | | |
| Signature | | Date |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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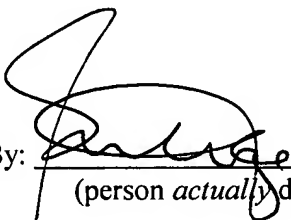


**CERTIFICATE OF MAILING
(PATENT APPLICATION)**

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By: 
(person *actually* depositing)

In the Application of: John W. von Holdt, Jr.
Title: Plastic Container and Lid Construction
Serial No.: 10/722,169
Attorney Docket No. 10778.00020

- ☒ Transmittal Form, in duplicate
- ☒ Amendment Before Action
- ☒ Return Receipt Postcard



EV 378039223 US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

(Attorney Docket No. 10778.00020)

| | | |
|---|---|---------------|
| In the Application of: |) | |
| |) | |
| John W. von Holdt, Jr. |) | |
| |) | |
| Serial No. 10/722,169 |) | Art Unit 1774 |
| |) | |
| Filed: November 25, 2003 |) | |
| |) | |
| For: Plastic Container and Lid Construction |) | |

AMENDMENT BEFORE ACTION

Commissioner for Patents
P. O. Box 1450
Alexandria, VA, 22313-1450

Dear Sir:

Please amend the above-identified application.

Amendments to the specification begin at page 2.

Amendments to the claims begin at page 3.

Remarks begin at page 15.

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Serial No. 10/722,169